



# San Joaquin Valley Unified Air Pollution Control District

July 28, 1998

CALFED Bay-Delta Program  
Attn: Mr. Bob Malinowski  
1416 Ninth Street, Suite 1155  
Sacramento, California 95814

Subject: Transmittal of SJVUAPCD Regulation VIII

Dear Mr. Malinowski:

Transmitted herewith is the copy of the San Joaquin Valley Unified Air Pollution Control District Regulation VIII which was apparently omitted from our comment letter of June 26, 1998 on the CALFED Bay-Delta Program.

If you have any additional questions or issues you would like to discuss with the District concerning this project, please feel free to contact me. I will be glad to discuss the project with you.

Sincerely,

A handwritten signature in cursive script that reads "Rodney Langston".

Rodney Langston  
Air Quality Planner

enclosure

David L. Crow  
*Executive Director/Air Pollution Control Officer*

1999 Tuolumne Street Suite 200 • Fresno, CA 93721 • (209) 497-1000 • FAX (209) 233-2057

---

#### Northern Region

4230 Kiernan Avenue Suite 130 • Modesto, CA 95356  
(209) 545-7000 • Fax (209) 545-8652

#### Central Region

1999 Tuolumne Street, Suite 200 • Fresno, CA 93721  
(209) 497-1000 • Fax (209) 233-2057

#### Southern Region

2700 M Street, Suite 275 • Bakersfield, CA 93301  
(805) 862-5200 • Fax (805) 862-5201

C - 0 1 3 7 7 1

C-013771

**RULE 8010 FUGITIVE DUST ADMINISTRATIVE REQUIREMENTS FOR CONTROL  
OF FINE PARTICULATE MATTER (PM-10) (Adopted October 21, 1993;  
Amended September 14, 1994; Amended April 25, 1996)**

**1.0 Purpose**

The purpose of Regulation VIII is to reduce the amount of fine particulate matter (PM-10) entrained in the ambient air as a result of emissions generated from anthropogenic (man-made) fugitive dust sources by requiring actions to prevent, reduce, or mitigate PM-10 emissions. The Rules contained in this regulation are required to reduce PM-10 emissions which violate the National Ambient Air Quality Standards for PM-10 and implement control measures contained in the District PM-10 Nonattainment Area State Implementation Plan.

The Rules contained in this Regulation have been developed pursuant to United States Environmental Protection Agency guidance for Moderate Nonattainment Areas. The Rules are applicable to specified man-made fugitive dust sources. Fugitive dust emissions are used as an indicator of PM-10 emissions. Fugitive dust contains PM-10 and particles larger than PM-10. Controlling fugitive dust emissions when visible emissions are detected will not prevent all PM-10 emissions, but will substantially reduce emissions.

**2.0 Applicability**

The provisions of this Regulation are applicable to specified outdoor anthropogenic sources of PM-10. The definitions, exemptions, requirements, administrative requirements, and fees set forth in Rule 8010 are applicable to all Rules in Regulation VIII of the Rules and Regulations of the San Joaquin Valley Unified Air Pollution Control District.

**3.0 Definitions**

The following definitions shall be applicable to Rules contained in Regulation VIII.

- 3.1 Anthropogenic: sources of pollution of, relating to, or resulting from the influence of human beings on nature.
- 3.2 APCO: the Air Pollution Control Officer of the San Joaquin Valley Unified Air Pollution Control District or his designee.
- 3.3 Bulk Material: any unpackaged material which emits dust when stored or handled.
- 3.4 Chemical Stabilization/Suppression: a means of dust control implemented by any person to mitigate PM-10 emissions by applying petroleum resins, asphaltic emulsions, acrylics, adhesives, or any other approved materials.

- 3.5 Construction Site: is a site on which construction, demolition, or related activities occur, including, but not limited to, land clearing, excavation related to construction, land leveling, grading, cut and fill grading, and the erection or demolition of any structure. As used in this Regulation, a construction site may encompass several contiguous parcels, or may encompass only a portion of one parcel, depending on the relationship of the property boundaries to the actual construction activities.
- 3.6 Disturbed Area: is an area in which soils have been disturbed by grading, land leveling, scraping, cut and fill activities, excavation, brush and timber clearing, grubbing, and soils on which vehicle operation has occurred.
- 3.7 Dust Suppressants: includes water, hygroscopic materials, chemical stabilization and suppression materials (see also Definition 3.4), and other approved substances.
- 3.8 Emergency: any situation where immediate action on the part of a federal, state, or local agency involved is needed and where the timing of such federal, state or local activities makes it impractical to meet the requirements of this rule, such as natural disasters, civil disturbances, or hazardous materials spills. Only an authorized official of a federal, state, or local agency may declare an emergency when deemed necessary to protect the general public.
- 3.9 Fugitive Dust: the particulate matter entrained in the ambient air which is caused from man-made and natural activities which is emitted into the air without first passing through a stack or duct designed to control flow, including, but not limited to, emissions caused by movement of soil, vehicles, equipment, and windblown dust. This excludes particulate matter emitted directly in the exhaust of motor vehicles, from other fuel combustion devices, portable brazing, soldering, or welding equipment, and from pile drivers.
- 3.10 Hygroscopic Materials: any material that is readily capable of absorbing moisture from the air.
- 3.11 Land Preparation: any preparation of land for anthropogenic (human) purposes, including brush or timber clearing, grubbing, scraping, ground excavation, land leveling, or grading.
- 3.12 Local Agency: a city, county, or special district with jurisdiction over public roads or having land use authority.
- 3.13 New Operations: Any operation commencing for the first time after the effective date of this regulation.

- 3.14 Operation: any activity, process, or project described in the applicability sections of the Rules of this Regulation.
- 3.15 Owner/Operator: includes, but is not limited to, any person who leases, supervises, or operates equipment, in addition to the normal meaning of owner or operator.
- 3.16 Particulate matter: any material emitted or entrained into the air as liquid or solid particles, with the exception of uncombined water. (For PM-10, refer to Definition 3.19).
- 3.17 Paved Roads: an improved street, highway, alley, public way, or easement that is covered by concrete, asphaltic concrete, asphalt, or other materials which provide a permanent stable surface.
- 3.18 Person: any individual, public and private corporation, government agency, partnership, association, firm, trust, estate, or any other legal entity which is recognized by law as the subject of rights and duties.
- 3.19 PM-10: particulate matter with an aerodynamic diameter smaller than or equal to a nominal ten (10) microns as measured by the applicable State and Federal reference test methods.
- 3.20 Private Roads: any roads not defined as public and which are privately maintained.
- 3.21 Public Paved Roads: a paved road which is publicly maintained.
- 3.22 Public Roads: are roads owned and/or maintained by federal, state, county or city agencies.
- 3.23 Reasonably Available Control Measures: techniques used to limit the emission and/or airborne transport of fugitive dust from a site including: application of water, chemical stabilizers/suppressants, soil stabilizers, or other liquids, covering, paving, enclosing, shrouding, compacting, planting, cleaning, or such other measures the APCO may approve to accomplish satisfactory results for temporary and/or extended suppression of PM-10 emissions.
- 3.24 Road: any paved or unpaved, public or private street, highway, freeway, alley, way, access drive, access easement, haul road, or driveway.
- 3.25 Road Length: the total centerline distance of all contiguous (connected) segments of an owner's road, regardless of change of direction, road name, or surface, or intersection with a road not owned or operated by the owner.

- 3.26 Site: real property or land used or set aside for any specific use.
- 3.27 Soil Stabilization: the process used to mitigate PM-10 emissions for an extended period of time by applying petroleum resins, asphaltic emulsion, acrylics, adhesives, vegetation, or any other APCO approved material or process.
- 3.28 Unpaved Temporary Agricultural Access Roads: an unpaved private road developed for temporary or seasonal agricultural operation.
- 3.29 Unpaved Roads: an open way that is not covered by one of the materials described in the paved road definition.
- 3.30 Vehicle: any device by which any person or property may be propelled, moved, or drawn, excepting aircraft or watercraft or devices moved exclusively by human or animal power or used exclusively upon rails or tracks.
- 3.31 Visible Dust Emission (VDE): visible dust of such opacity as to obscure an observer's view to a degree equal to or greater than an opacity of 40%, for a period or periods aggregating more than three (3) minutes in any one (1) hour, except as set forth in Rule 8030 section 5.1.2.

#### 4.0 Exemptions:

The following exemptions are applicable to all Regulation VIII Rules:

- 4.1 Actions required to protect the environment by Federal or State law or regulation.
- 4.2 Any source or operations already under Air Pollution Control District permit to operate with requirements for PM-10 control, provided the control of fugitive PM-10 emissions required by the permit is at least as stringent as required by this Regulation.
- 4.3 Emergency operations performed to ensure public health and safety. Emergency operations lasting more than 30 days shall be subject to this regulation, except where compliance would limit the effectiveness of the emergency operation performed to ensure public health and safety.
- 4.4 Removal of weeds and dried vegetation related to fire prevention required by a Federal, State, or local agency, but not including removal for construction activities.
- 4.5 Activities conducted at an elevation of 3000 feet or higher above sea level but not including reporting requirements specified in Rule 8060.

4.6 Activities conducted during freezing conditions.

5.0 Requirements

5.1 Requirements for chemical stabilizing agents.

Materials used for chemical stabilization of soils, including petroleum resins, asphaltic emulsions, acrylics, and adhesives which do not violate State Water Quality Control Board standards for use as a soil stabilizer. Materials accepted by ARB and/or EPA and which meet State water quality standards shall be considered acceptable to the APCO.

5.2 Prohibited dust suppressant materials.

Any material prohibited for use as dust suppressants by EPA, ARB, or other applicable law, rule, or regulation are deemed prohibited under this Regulation.

5.3 Use of hygroscopic materials may be prohibited by the APCO in areas lacking sufficient moisture for such materials to effectively reduce PM-10 emissions. Use of such materials may be approved in conjunction with sufficient wetting of the controlled area for such materials to effectively reduce PM-10 emissions. Hygroscopic materials depend upon humidity or application of water to provide effective dust control.

5.4 Requirements for dust palliative and asphalt paving: Any use of a dust palliative or asphalt paving material shall comply with other applicable District Rules.

5.5 Requirements for removal of mud and dirt trackout onto public paved roads contained in this Regulation do not exempt owners/operators from obtaining state or local agency permits which may be required for the cleanup of mud and dirt.

6.0 Alternative Compliance Plan

This section has been reserved for an Alternative Compliance Plan Procedure.

7.0 Fee

This section has been reserved for an Alternative Compliance Plan Procedure.

This page intentionally blank

SJVUAPCD

8010 - 6

4/25/96

C - 0 1 3 7 7 7

C-013777

**RULE 8020 FUGITIVE DUST REQUIREMENTS FOR CONTROL OF FINE PARTICULATE MATTER (PM-10) FROM CONSTRUCTION, DEMOLITION, EXCAVATION, AND EXTRACTION ACTIVITIES (Adopted October 21, 1993; Amended April 25, 1996)**

**1.0 Purpose**

The purpose of this Rule is to limit fugitive dust emissions from construction, demolition, excavation, and related activities.

**2.0 Applicability**

This Rule applies to any construction, demolition, excavation, extraction, and water mining related disturbances of soil, including land clearing, grubbing, scraping, ground excavation, land leveling, grading, cut and fill operations, travel on the site, travel on access roads to and from the site, and demolition activities. The Rule is also applicable to the initial construction of landfills prior to commencement of landfill operations.

**3.0 Definitions**

3.1 Blasting: any excavation or demolition conducted with the use of explosives.

3.2 Excavation: any digging, trenching, quarrying, extraction, or tunneling.

3.3 Extraction: removal of minerals, aggregate, or fossil fuels from the earth by excavation; including mining, surface stripping, open pit excavation, or tunneling.

3.4 Visible Dust Emissions (VDE): visible dust of such opacity as to obscure an observer's view to a degree equal to or greater than an opacity of 40%, for a period or periods aggregating more than three (3) minutes in any one (1) hour, except as set forth in Rule 8030 section 5.1.2.

3.5 Water Mining: activities related to the production, diversion, storage or conveyance of water, including irrigation canals, but excluding irrigation ditches within agricultural fields.

**4.0 Exemptions**

In addition to the exemptions established in Rule 8010, the following exemptions are established for this Rule:

4.1 Any brush or timber clearing, grubbing, scraping, ground excavation, land leveling, or grading activity conducted for the purpose of preparing land for the growing of crops or the raising of fowl or animals. This does not exempt grading, land



leveling, or scraping for the purpose of constructing structures intended for agricultural use or for the purpose of water mining.

- 4.2 Activities for which mitigation programs for the control of fine particulate matter (PM-10) through the control of fugitive dust have been approved prior to the effective date of this Rule.
- 4.3 Blasting activities as defined in section 3.1.
- 4.4 Construction or demolition activities for which bids have been awarded, building permits issued, or for which the construction or demolition work has commenced prior to the effective date of this Rule.
- 4.5 Maintenance or remodeling of existing buildings and additions to existing buildings where total building area is not increased by more than fifty percent, or 10,000 square feet, whichever is less; but not including ancillary construction such as expanding parking lots. All additions to single family residential buildings.
- 4.6 Renovation of ground water recharge basins to restore permeability, but not including other water mining activities.
- 4.7 Solar drying and the harvesting of sedimentary calcium carbonate precipitates from settling/evaporation ponds for the purpose of process recycling and reuse of the precipitate.

## 5.0 Requirements

Section 5.1 sets forth requirements for any area of a construction site on which land preparation activities are occurring. The provisions of section 5.2 are applicable to inactive disturbed areas of a construction site. Section 5.3 applies to unpaved on-site roads and off-site unpaved access roads. Section 5.4 sets forth requirements for the prevention and removal of mud and dirt carryout. Section 5.5 sets forth requirements for storage of construction vehicles, equipment, and materials.

- 5.1 No person shall undertake any land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill operations, or demolition activities, without utilizing appropriate dust control measures, such as the effective application of water or pre-soaking, during the land preparation, demolition, excavation or extraction.
  - 5.1.1 Operations employing use of wrecking balls or other wrecking equipment to raze or demolish buildings shall not be required to limit Visible Dust Emissions (VDE) as defined in section 3.4 of this Rule, from the employment of such equipment for wrecking operations, provided water is applied to the building surface as follows:

5.1.1.1 All exterior surfaces of the building up to six stories in height shall be wetted when commencing use of the wrecking ball or equipment and shall be maintained adequately wetted thereafter while operations continue.

5.1.1.2 Wetting shall not be required with use of wrecking balls when employed on that part of a building or structure in excess of six stories in height.

5.1.1.3 Material resulting from razing and demolition operations shall be wetted during off-site removal loading operations.

5.2 Disturbed areas shall be stabilized for the duration of the construction activity or until construction work resumes on the inactive disturbed area. All disturbed areas of a construction site, including storage piles of fill dirt and other bulk materials, which are not being actively utilized for construction purposes for a period of seven (7) calendar days or more, shall be stabilized using one or more of the following approved soil stabilization methods to effectively limit VDE as defined by section 3.4 of this Rule. Where soil moisture or natural crusting is sufficient to limit visible dust emissions, no action is required.

5.2.1 Where water is used as the dust suppressant, watering shall be applied to effectively limit VDE as defined by section 3.4 of this Rule, or

5.2.2 Where a chemical dust stabilizer or suppressant is utilized, the stabilizer or suppressant shall be applied to effectively limit VDE as defined by section 3.4 of this Rule, or

5.2.3 Where planting of trees and vegetative ground cover is utilized, vegetation shall be planted in sufficient density and watered with sufficient frequency to effectively stabilize the disturbed area and limit VDE as defined by section 3.4 of this Rule.

5.3 All operations described in section 2.0 shall effectively limit VDE as defined by section 3.4 of this Rule from on-site unpaved roads and off-site unpaved access roads using one or more of the following stabilization methods. Road stabilization shall be maintained for the duration of the activity. Where soil moisture is sufficient to meet this requirement, no action is required.

5.3.1 Where water is used as the dust suppressant, watering shall be applied to effectively limit VDE as defined by section 3.4 of this Rule.

5.3.2 Where a chemical dust stabilizer or suppressant is used, the stabilizer or suppressant shall be applied to effectively limit VDE as defined by section 3.4 of this Rule.

5.4 All operations described in section 2.0 shall limit or remove the accumulation of mud or dirt from public paved roads, including shoulders, adjacent to the site at the end of the work day, or at a minimum of once every twenty-four hours when operations are occurring.

5.4.1 In addition to restrictions imposed by local agencies, the use of dry rotary brushes for removal of deposited mud/dirt carryout from a paved road is expressly prohibited, except where preceded or accompanied by sufficient wetting to limit the VDE as defined by section 3.4 of this Rule.

5.4.2 For the purposes of this section, the use of blower devices for removal of deposited mud/dirt carryout from subject paved roads is expressly prohibited.

5.4.3 Use of paved access aprons, gravel strips, wheel washers, or other measures designed to limit mud and dirt deposits on public paved roads are strongly encouraged to minimize the need for removal of mud and dirt from paved public roads.

5.5 All areas used for storage of construction vehicles, equipment, and materials shall comply with the provisions of the Rule 8070.

## 6.0 Alternative Compliance Plan

If special conditions exist which will unreasonably prevent compliance with the requirements in section 5.0 of this Rule, the owner/operator may submit and request approval of an Alternative Compliance Plan in accordance with section 6.0 of Rule 8010. The Alternative Compliance Plan must specify the special circumstances which unreasonably prevent compliance and provide an alternative program of control measures. Failure to implement control measures specified in an approved Alternative Compliance Plan constitutes a violation of this Rule.

**RULE 8030 FUGITIVE DUST REQUIREMENTS FOR CONTROL OF FINE PARTICULATE MATTER (PM-10) FROM HANDLING AND STORAGE OF BULK MATERIALS (Adopted October 21, 1993; Amended April 25, 1996)**

**1.0 Purpose**

The purpose of this Rule is to limit emissions of fine particulate matter (PM-10) from the handling and storage of bulk materials through control of fugitive dust emissions.

**2.0 Applicability**

This Rule applies to the outdoor handling and storage of any bulk material which emits visible dust when stored or handled. This Rule applies to both new and existing operations and activities. If compliance with this Rule requires the installation or modification of equipment under existing District permit, the following compliance schedule is established for completing the retrofit:

**2.1** The owner/operator of any proposed equipment or modification which is required to comply with this Rule shall comply with the following increments of progress:

**2.1.1** By June 10, 1994, the owner/operator shall submit to the APCO a control plan which identifies all equipment subject to this Rule, identifies all steps to be taken to achieve compliance with this Rule and the construction schedule, and submit a complete application for Authority to Construct to the District.

**2.1.2** Within twelve (12) months from the date of issuance of the Authority of Construct, the owner/operator shall complete the required installation or modification of equipment.

**3.0 Definitions**

**3.1** Enclosed Structure: a building or structure enclosed with walls on all sides covered with a roof.

**3.2** Visible Dust Emission (VDE): visible dust of such opacity as to obscure an observer's view to a degree equal to or greater than an opacity of 40%, for a period or periods aggregating more than three (3) minutes in any one (1) hour, except as set forth in Rule 8030 section 5.1.2.

**3.3** Outdoor Handling and Storage: handling or storage of bulk materials outside of an enclosed structure.

#### 4.0 Exemptions

In addition to the exemptions established in Rule 8010, the following exemptions are established for this Rule:

- 4.1 Handling and storage of materials where moisture content of the stored material is sufficient to limit Visible Dust Emissions, (VDE) as defined in section 3.2 of this Rule.
- 4.2 Field harvesting and open area drying of agricultural crop materials.
- 4.3 Handling and storage of agricultural crop materials which are baled, cubed, pelletized, long stemmed or pre-cleaned.
- 4.4 The temporary handling and storage of fertilizers and soil amendments, excluding fly ash, in the field in which they are to be applied.
- 4.5 Timber harvesting and storage of logs.
- 4.6 Handling and storage of solid materials not containing mud, dirt, or other dust producing matter.
- 4.7 Any outdoor storage or handling of materials which would be damaged by wetting. Examples of materials which would be damaged by wetting include grains, seed, and feed.
- 4.8 Outdoor storage and handling of any bulk material at a single site where the cumulative total material volume is less than 250 cubic yards.

#### 5.0 Requirements

- 5.1 Transport of a bulk material in an outdoor area for a distance of twelve feet or greater with the use of a chute or conveyor device must comply with the following requirements. Provisions of this section are not applicable to conveyor or chute devices within enclosed buildings or structures.
  - 5.1.1 The chute or conveyer must be fully enclosed, or
  - 5.1.2 Spray equipment sufficiently wets materials to limit visible dust emissions as defined in the District's Visible Emission Rule 4101, or
  - 5.1.3 All materials conveyed have been washed, separated, or screened to remove materials having an aerodynamic diameter of 10 microns or less.

5.2 No person shall transport any non-exempt bulk materials in open vehicles, trailers, rail cars, or containers without utilizing appropriate control measures. This section is not applicable to earth movers, skip loaders and similar equipment exclusively used to add or remove bulk material from storage piles while conducting operations on the site. Cleanup of accumulation mud or dirt deposited onto public adjacent paved roads is required at the end of the work day, or at a minimum of once every twenty-four hours when operations are occurring. These requirements shall not be construed to supersede any other federal, state, or local requirements relating to the transport of materials on public roads. Appropriate control measures shall be by means of the following:

5.2.1 Wetting of the material to a moisture content sufficient to limit VDE as defined in section 3.2 of this Rule, or

5.2.2 Providing at least six (6) inches of freeboard space from the top of the transport container sides, or

5.2.3 Covering the top of the open container, vehicle, or material transported.

5.3 No person shall store, or cause to be stored, any bulk materials outdoors without stabilizing or covering said bulk materials in accordance with the following provisions:

5.3.1 Within a period of time, not to exceed seven (7) calendar days following the addition of materials to or removal of materials from an outdoor bulk storage pile, the surface of said outdoor storage piles shall be either covered or stabilized as follows:

5.3.1.1 Where water is used for stabilization, sufficient water shall be applied to limit VDE as defined in section 3.2 of this Rule.

5.3.1.2 Where chemical stabilizers are used, the stabilizer shall be applied as required to limit VDE as defined in section 3.2 of this Rule.

5.3.1.3 Where planting of trees and vegetative ground cover is utilized, vegetation shall be planted in sufficient density and watered with sufficient frequency to effectively stabilize the disturbed area and limit VDE as defined in section 3.2 of this Rule.

## **6.0 Alternative Compliance Plan**

If special conditions exist which will unreasonably prevent compliance with the requirements in section 5.0 of this Rule, the owner/operator may submit and request approval of an Alternative Compliance Plan in accordance with section 6.0 of Rule 8010. The Alternative Compliance Plan must specify the special circumstances which unreasonably prevent compliance and provide an alternative program of control measures. Failure to implement control measures specified in an approved Alternative Compliance Plan constitutes a violation of this Rule.

**RULE 8040 FUGITIVE DUST REQUIREMENTS FOR CONTROL OF FINE PARTICULATE MATTER (PM-10) FROM LANDFILL DISPOSAL SITES**  
(Adopted October 21, 1993; Amended April 25, 1996)

**1.0 Purpose**

The purpose of this Rule is to limit emissions of fine particulate matter (PM-10) from landfill disposal sites through the control of fugitive dust emissions.

**2.0 Applicability**

This Rule applies to all operational landfill disposal sites. The Rule also applies to landfill closure activities and closed landfill sites when activities are conducted which disturb surface soils covering an area of more than one (1) acre. During construction of a landfill, the requirements set forth in Rule 8020 are applicable.

**3.0 Definitions**

**3.1 Landfill Disposal Site:** a site where solid waste, trash, garbage, or other waste is disposed of by burying between layers of earth.

**4.0 Exemptions**

In addition to the exemptions established in Rule 8010, the following exemptions are established for this Rule:

**4.1** Landfills where active disposal and excavation areas disturb less than one (1) acre of soil.

**5.0 Requirements**

**5.1** Landfill site construction activities must comply with Rule 8020 and Title 14 of the California Code of Regulations sections 17616 (Report of Disposal Site Information) and 18222 (Report of Disposal Site Information) pertaining to access roads.

**5.2** Any person owning or operating a landfill disposal site shall limit or remove at the end of the work day, or a minimum of once every twenty-four hours of occurrence, the accumulation of mud, or dirt, or other materials from public paved roads, including shoulders, adjacent to the site of the landfill. Removal activities must comply with local requirements and procedures. This requirement is intended to apply to mud and dirt deposited onto a permanent public paved road from a landfill site.



5.2.1 Interior roads of the landfill site are paved and cleaned to limit deposits of mud and dirt onto adjacent paved public roads. To meet this requirement, landfill roads connected to off-site adjacent paved public roads must be paved for a sufficient distance to allow mud and dirt accumulation to drop off of vehicles within the landfill site. In addition, the interior roads must be cleaned with sufficient frequency to limit mud and dirt accumulation of sufficient density to be picked up by other vehicles and transported onto the off-site public paved road.

5.2.2 For the purposes of this section, the use of dry rotary brushes for removal of deposited mud/dirt carryout from paved roads is expressly prohibited, except where preceded or accompanied by sufficient wetting to limit visible dust emissions.

5.2.3 For the purposes of this section, the use of blower devices for removal of mud or dirt, deposited on paved roads is expressly prohibited.

5.3 No person shall own or operate any landfill disposal site without compliance with Title 14 of the California Code of Regulations sections 17616, 17659 (Access Roads), 17706 (Dust Control), and 18222.

5.4 All areas used for storage of construction vehicles, equipment, and materials shall comply with the provisions of the Rule 8070.

## 6.0 Administrative Requirements

6.1 All operators of landfill disposal sites and operations, shall maintain a copy of the most recent Report of Disposal Site Information at the landfill site or an alternative location approved by the District, for inspection by authorized District employees upon request.

## 7.0 Alternative Compliance Plan

If special conditions exist which will unreasonably prevent compliance with the requirements in section 5.0 of this Rule, the owner/operator may submit and request approval of an Alternative Compliance Plan in accordance with section 6.0 of Rule 8010. The Alternative Compliance Plan must specify the special circumstances which unreasonably prevent compliance and provide an alternative program of control measures. Failure to implement control measures specified in an approved Alternative Compliance Plan constitutes a violation of this Rule..

**RULE 8060 FUGITIVE DUST REQUIREMENTS FOR CONTROL OF FINE PARTICULATE MATTER (PM-10) FROM PAVED AND UNPAVED ROADS**  
(Adopted October 21, 1993; Amended April 25, 1996)

**1.0 Purpose**

The purpose of this Rule is to limit emissions of fine particulate matter (PM-10) from paved and unpaved roads through control of fugitive dust emissions by implementing design criteria for paved and unpaved roads.

**2.0 Applicability**

This Rule applies to any paved, or unpaved public or private road, street, highway, freeway, alley, way, access drive, access easement, or driveway constructed or modified after December 10, 1993. Road construction and repair activities are subject to the requirements set forth in Rule 8020.

**3.0 Definitions**

- 3.1 Annual Average Daily Vehicle Trips: annual average 24-hour total of all vehicle trips counted on a road segment.
- 3.2 Modified Road: any road, street, highway, alley, way, access easement, or driveway which is widened or improved so as to increase traffic capacity or which has been reconstructed. This term does not include road maintenance, repair, chipseal, or surface overlay work.
- 3.3 New Paved Surfaces: any road segments or other paved surfaces constructed or modified after the effective date of this Rule.

**4.0 Exemptions**

In addition to the exemptions established in Rule 8010, the following exemptions are established for this Rule:

- 4.1 Private and/or public easements and roads providing access for not more than ten residences.
- 4.2 Paved roads and paved road segments with a length of less than 3 miles and unpaved roads and unpaved road segments with a length of less than ½ mile which are constructed after December 10, 1993.

- 4.3 Unpaved agricultural access roads and end of row equipment turnaround areas in or adjacent to agricultural fields.
- 4.4 Public or private roads, streets, highways, alleys, ways, access drives, access easements, or driveways which have been approved by a city or county as part of a subdivision, conditional use permit, or site plan review and for which a building permit has been issued prior to the effective date of this Rule.
- 4.5 Roads owned by a public agency, special district, or public utility which are gated and on which public access is prohibited.
- 4.6 Road construction for which bids have been awarded prior to the effective date of this Rule.
- 4.7 Road maintenance and resurfacing are exempt. Reconstruction or modifications which add travel lanes or traffic capacity are not exempt.

## 5.0 Requirements

- 5.1 Any agency, or owner, or operator having jurisdiction over, or ownership of, public or private paved roads shall construct, or require to be constructed, all new or modified paved roads in conformance with the American Association of State Highway and Transportation Officials (AASHTO) guidelines for width of shoulders and median shoulders as specified below:

- 5.1.1 New construction, modification, or approvals of paved roads with projected average daily vehicle trips of 500 vehicles or more shall be constructed with paved shoulders having the following minimum widths:

Annual Average Daily Vehicle Trips	Minimum Shoulder Width
500-3000	4 feet
3000 or greater	8 feet

- 5.1.2 Where curbing is constructed adjacent to and contiguous with the travel lane or paved shoulder of a road, the shoulder width design standards specified in subsection 5.1.1 shall not be applicable.
- 5.1.3 The paved shoulder width requirements set forth in subsection 5.1.1 are not applicable at intersections or where auxiliary entry and exit lanes are constructed adjacent to and contiguous with the roadway.
- 5.1.4 The paved shoulder width requirements set forth in subsection 5.1.1 are not applicable where the requirements would conflict with environmental,

historical, or archaeological considerations. Examples of environmental conflicts include the need to minimize road width when constructing a road through mountainous terrain or wetlands areas.

5.1.5 Where paved roads are constructed, or modified with medians and have projected annual average daily vehicle trips of 500 vehicles or more, the medians shall be constructed with paved shoulders having a minimum width of four feet adjacent to the traffic lanes unless:

5.1.5.1 The medians are solidly paved, or

5.1.5.2 Medians of roads having speed limits set at or below 45 miles per hour are constructed with curbing, or

5.1.5.3 Medians are landscaped and maintained with grass or other vegetative ground cover.

5.1.6 In lieu of the paving and landscaping requirements, the agency, owner, or operator may use application of oils or other approved dust suppressant chemicals to control shoulder and median areas to the specified required width. The material shall be reapplied and maintained in accordance with the manufacturer's recommendations.

5.2 No person shall construct or otherwise utilize a new unpaved road or road segment, after the effective date of this regulation, without application of one of the control measures set forth in subsections 5.2.1 through 5.2.3 below. Where soil moisture is sufficient to limit dust emissions equal to or less than the 40% opacity level, no action is required. Where control measures set forth in subsections 5.2.1 through 5.2.3 are required, unpaved roads or road segments shall not be subject to the Visible Dust Emissions (VDE) limits as defined in Rule 8010, section 3.31.

5.2.1 At least 50% of the length of the new unpaved road surface is controlled by application of chemical suppressant or other equivalent stabilization in accordance with manufacturer's recommendations, or

5.2.2 The entire new unpaved road surface is controlled by application of water at least one time per week, or

5.2.3 At least 25% of the length of the new unpaved road surface is paved to provide a permanent stable surface.

## 6.0 Administrative Requirements

6.1 City, County and State agencies having jurisdiction over publicly maintained paved roads open to public access shall prepare and submit a written report to the District documenting compliance with the provisions of this Rule. This report shall be prepared for the year 1994 and no less frequently than each two (2) year period thereafter. The reports shall be transmitted no later than 90 days after the end of the calendar year and shall include:

6.1.1 The total miles of paved roads under the jurisdiction of the owner or agency and the miles of roads constructed or modified during the reporting period subject to the requirements of this regulation.

6.1.2 For newly constructed or modified roads, a summary of actions taken during the reporting period to prevent or mitigate PM-10 emissions, with miles specified for each type of preventive or mitigative control measure used to reduce PM-10 emissions.

6.1.3 For all roadways under the agency's jurisdiction, a summary of actions which directly or indirectly reduce PM-10 emissions from publicly maintained roads during the reporting period. Where possible, the total miles of roads for which these procedures were enforced and the estimated traffic volume on the affected roads should be provided.

6.1.4 Other information which may be needed by the APCO for compliance with EPA requirements.

## 7.0 Alternative Compliance Plan

If special conditions exist which will unreasonably prevent compliance with the requirements in section 5.0 of this Rule, the owner/operator may submit and request approval of an Alternative Compliance Plan in accordance with section 6.0 of Rule 8010. The Alternative Compliance Plan must specify the special circumstances which unreasonably prevent compliance and provide an alternative program of control measures. Failure to implement control measures specified in an approved Alternative Compliance Plan constitutes a violation of this Rule.

**RULE 8070 FUGITIVE DUST REQUIREMENTS FOR CONTROL OF FINE PARTICULATE MATTER (PM-10) FROM VEHICLE AND/OR EQUIPMENT PARKING, SHIPPING, RECEIVING, TRANSFER, FUELING, AND SERVICE AREAS (Adopted October 21, 1993; Amended April 25, 1996)**

**1.0 Purpose**

The purpose of this rule is to limit emissions of fine particulate matter (PM-10) through control of fugitive dust emissions from the following outdoor activities:

- 1.1 Vehicle and/or equipment parking areas.
- 1.2 Fueling and service areas.
- 1.3 Shipping, receiving, and transfer areas.

**2.0 Applicability**

This rule applies to all unpaved areas of one (1) acre or larger on which the activities listed below occur.

- 2.1 Vehicle and/or equipment parking areas.
- 2.2 Fueling and service areas.
- 2.3 Shipping, receiving, and transfer areas.

**3.0 Exemptions**

In addition to the exemptions established in Rule 8010, the following exemptions are established for this Rule:

- 3.1 Activities described in section 2.0 of this Rule which are conducted on sites of less than one (1) acre.
- 3.2 Activities conducted on lands devoted to the growing of crops or the raising of fowl or animals, including the storage, maintenance, and parking of agricultural equipment associated with those activities.
- 3.3 Temporary shipping and transfer areas and vehicle and/or equipment parking, used for timber harvesting.

- 3.4 Exposed surfaces of lake and river beds in accordance with applicable State or Federal regulations.

#### 4.0 Requirements

- 4.1 No person shall operate or permit the use of an unpaved area of one (1) acre or larger for activities described in section 2.0 of this Rule without implementing dust control measures in accordance with the following requirements. The provisions of this section are applicable only during those days on which vehicles, equipment, or materials are moved within the site, enter the site, or exit the site. Where natural moisture is sufficient to limit visible emissions, dust control measures are not required.
- 4.1.1 Where water is used as the dust suppressant, watering shall occur not less frequently than one (1) time per day.
- 4.1.2 Where a chemical suppressant is used, the suppressant shall be applied in accordance with the manufacturer's recommendations for road applications.
- 4.1.3 Application of gravel may be used to meet the requirements of this section. Where gravel is used as a dust suppressant, gravel shall completely cover the area treated. Gravel shall be reapplied as necessary to maintain complete coverage.
- 4.2 Owners/operators of activities described in section 2.0 shall limit or remove at the end of the work day, or at a minimum of once every twenty-four hours when operations are occurring, the accumulation of mud or dirt from public paved roads, including shoulders, adjacent to the site of the operation or activity. Removal activities must comply with local requirements and procedures. The provisions of this section are applicable only when vehicles, equipment, or materials exit the site.
- 4.2.1 In addition to restrictions imposed by local agencies, the use of dry rotary brushes for removal of deposited mud/dirt carryout from a paved road is expressly prohibited, except where preceded or accompanied by sufficient wetting to limit visible dust emissions.
- 4.2.2 For the purposes of this section, the use of blower devices for removal of deposited mud/dirt carryout from public paved roads is expressly prohibited.

## 5.0 Alternative Compliance Plan

If special conditions exist which will unreasonably prevent compliance with the requirements in section 4.0 of this Rule, the owner/operator may submit and request approval of an Alternative Compliance Plan in accordance with section 6.0 of Rule 8010. The Alternative Compliance Plan must specify the special circumstances which unreasonably prevent compliance and provide an alternative program of control measures. Failure to implement control measures specified in an approved Alternative Compliance Plan constitutes a violation of this Rule.



**This page intentionally blank.**

**SJVUAPCD**

**8070 - 4**

**4/25/96**

**C - 0 1 3 7 9 5**

**C-013795**

PLD  
SAN JOAQUIN VALLEY UNIFIED  
AIR POLLUTION CONTROL DISTRICT  
1999 TULUMNE STREET STE 200  
FRESNO CA 93721-1698

CALIFED BAY-DELTA PROGRAM  
ATTN: MR BOB MALINOWSKI  
1416 NINTH STREET STE 1155  
SACRAMENTO CA 95814

DEPARTMENT OF  
WATER RESOURCES  
SACRAMENTO  
98 JUL 31 AM 10:26

